



**STATE OF CALIFORNIA, COUNTY OF SIERRA
BOARD OF SUPERVISORS
MINUTES
REGULAR MEETING**

Lee Adams, District 1

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The Sierra County Board of Supervisors met in regular session commencing at 9:00 a.m. on July 8, 2014 in the Board of Supervisors' Chambers, Courthouse, Downieville, CA. This meeting was recorded and posted on the Board of Supervisors' webpage at www.sierracounty.ca.gov.

PLEDGE OF ALLEGIANCE: Led by Supervisor Schlefstein

ROLL CALL

Present: Lee Adams, Supervisor, District #1
 Peter W. Huebner, Supervisor, District #2
 Paul Roen, Supervisor, Chair, District #3
 Jim Beard, Supervisor, Vice-Chair, District #4
 Scott A. Schlefstein, Supervisor, District #5

Staff: Heather Foster, County Clerk-Recorder
 Jim Curtis, County Counsel
 Van Maddox, Auditor/Treasurer Tax-Collector
 Tim Beals, Director of Planning and Transportation
 Darden Bynum, Director of Health and Human Services
 Jeff Bosworth, Chief Probation Officer
 Laura Marshall, Assessor/Solid Waste Fee Administrator

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APPROVAL OF CONSENT ITEMS

At the request of County Counsel, Consent Item 12.I. was moved to the Regular Agenda as Item 7.D.

- 12.I. Approval of Lease Agreement with Boy Scouts Troop #60 out of Loyalton for Wilderness Challenge Equipment that is currently not utilized by Sierra County. (PUBLIC WORKS)

At the request of Supervisor Schlefstein, Consent Item 12.A. was moved to the Regular Agenda as Item 6.C.

- 12.A. Rescission of Agreement No. 2014-055 and approval of agreement for Professional Services between Kathryn Hill, MFT and the County of Sierra Behavioral Health Department for Fiscal Year 2014-2015. (BEHAVIORAL HEALTH)

The Board moved to approve the Consent Agenda as amended.

APPROVED as amended. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

12. CONSENT AGENDA

- 12.B. Agreement for Professional Services between Clean and Sober Living and Sierra County for Fiscal Year 2014-2015. (BEHAVIORAL HEALTH)

APPROVED, Agreement 2014-062

- 12.C. Agreement for Professional Detoxification, Recovery Home and Transitional Living Services between Community Recovery Resources and the County of Sierra. (DRUG AND ALCOHOL)

APPROVED, Agreement 2014-063

- 12.D. Authorization to fill an Administrative Secretary I/II position vacancy due to an internal promotion and authorization to begin the recruitment process. (MENTAL HEALTH)

- 12.E. Agreement for Professional Services between Sierra County Child Abuse Council and the County of Sierra for Fiscal Year 2014-2015. (SOCIAL SERVICES)

APPROVED, Agreement 2014-064

- 12.F. Agreement for Professional Services between Toddler Towers and the County of Sierra for Fiscal Year 2014-2015. (SOCIAL SERVICES)

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APPROVED, Agreement 2014-065

- 12.G. Resolution authorizing the Department of Health and Human Services to surplus a 2003 Toyota Camry, VIN # 4T1BE32K53U686345, License # 1149171. (HEALTH AND HUMAN SERVICES)

ADOPTED, Resolution 2014-059

- 12.H. Agreement with John Chiang, Controller of the State of California, for services to prepare the Annual Road Report. (PUBLIC WORKS)

APPROVED, Agreement 2014-066

- 12.J. Resolution declaring a 2001 Dodge Durango as surplus, establishing minimum bid amounts, and approving a sales/disposal program. (PUBLIC WORKS)

ADOPTED, Resolution 2014-060

- 12.K. Governing Body Resolution naming authorizing agents for Sierra County Homeland Security Grant for Fiscal Year 2014. (OES)

ADOPTED, Resolution 2014-061

- 12.L. Amendment to Agreement No. 2013-039, expanding the Scope of Work for Professional Services between the County and Fred J. Campbell dba Criminal Justice Research Foundation. (PROBATION)

ADOPTED, Resolution 2014-062

APPROVED, Agreement 2014-067

- 12.M. Minutes from the regular meeting held on May 20, 2014. (CLERK-RECORDER)

- 12.N. Minutes from the regular held on June 3, 2014. (CLERK-RECORDER)

APPROVAL OF REGULAR AGENDA

County Counsel requested adding an item to the agenda as the matter was brought to the attention of Supervisor Huebner and the County Clerk by email from Mr. Larry Ostrom dated yesterday and contains a threat of litigation against the County. County Counsel added that he believes this would be appropriate to add as an additional closed session item under Government Code Section 54956.9 as there is a demand for Board action to avoid litigation within 14 days.

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The Board moved to add Item 11.C. to the Regular Agenda.

11.C. Closed session pursuant to Government Code Section 54956.9 pertaining to threat of litigation against Sierra County by Larry Ostrom.

APPROVED. Motion: Adams/Schlefstein/Unanimous Roll Call Vote: 5/0

The Board moved to approve the Regular Agenda as amended.

APPROVED as amended. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

REGULAR AGENDA

2. PUBLIC COMMENT OPPORTUNITY

At 9:07 a.m. Chair Roen opened the public comment opportunity.

Ms. Liz Fisher, Downieville addressed the parking issues in Downieville and requested the Board entertain the idea of residential parking permits.

At 9:08 a.m. Chair Roen closed the public comment opportunity with no further persons addressing the Board.

4. DEPARTMENT MANAGERS' REPORTS & ANNOUNCEMENTS

The Chief Probation Officer reported that the Governor has proclaimed next week as Probation Services week.

3. COMMITTEE REPORTS & ANNOUNCEMENTS

Chair Roen reported that he will be going to Washington, D.C. next week on behalf of the Air Board.

Supervisor Adams reported that the Fire Fighters Burn Institute is hosting a barbeque today at the Tin Cup Diggins Park.

Supervisor Beard reported that the Packer Lake Kids' Fishing Day will be held on Saturday, July 19, 2014.

5. FOREST SERVICE UPDATE

North Yuba District Ranger Karen Hayden introduced Whitney Martinetti, Fire Prevention Technician and Larry Peabody, Suppression Battalion.

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District Ranger Hayden distributed flyers for the Packer Lake Kids' Fish Day. District Ranger Hayden continued to provide an update on matters going on in the District.

Ms. Liz Fisher, Downieville questioned if Engine 32 is located in Downieville 24 hours a day.

District Hayden responded that Engine 32 is parked in Downieville, but not staffed 24 hours a day.

8.A. Discussion regarding grievances filed by Jean Newfarmer-Fletcher and John Hiatt and direction from the Board as to possible action.

County Counsel provided background on the matter and referred to the memorandum previously distributed to the Board and his recommendation to remand the grievances back to the new Director of Health and Human Services to determine if the issues can be addressed and to provide a written response as there never was a formal response back from the prior Department Heads per the Grievance Policy.

County Counsel added that this case involves both personnel issues and potential issues with regards to the conduct of the CPS mission involving juveniles with the County and a lot of the information that might otherwise be discussed would by necessity be confidential and should be held in closed session. He was also informed this morning that there have been further developments in the department which may alleviate any need to pursue this matter at all. County Counsel further cautioned both Mr. Hiatt and Ms. Newfarmer-Fletcher that they cannot comment on any of the underlying personnel and/or juvenile matters.

Ms. Jean Newfarmer-Fletcher addressed the Board and distributed a copy of the County Code pertaining to grievances. Ms. Newfarmer-Fletcher continued to provide her employment history and address her issues with County Counsel's memo with respect to having to do the second step of the grievance process twice, once with Ms. Waldo and with Mr. Maddox/HR Personnel Director. Ms. Newfarmer-Fletcher added that with respect to County Counsel's request that they start the grievance hearings with Mr. Bynum, they have already started the hearings with Mr. Bynum and she is requesting to move forward with this process.

Ms. Newfarmer-Fletcher further expressed concerns with respect to County Counsel's recommendation to hold the hearings in closed session per the Board's grievance policy. Ms. Newfarmer-Fletcher concluded her comments noting that before the Board makes a decision today she wanted to give clarification on where they were at in this process and that this has been an extremely long process.

Mr. John Hiatt, addressed the Board clarifying that he didn't just bring complaints to Ms. Waldo, but also to Ms. Maddox well over a year ago without any resolution or

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response from the department. Mr. Hiatt added that he wanted the Board to know that they have made a diligent effort for over a year to address this grievance.

County Counsel added that his recommendation still stands with respect to allowing the new Director to provide his written decision. If the grievants don't agree with the written decision they can move forward with a hearing before the Board of Supervisors.

Following brief discussion, the Board moved to accept County Counsel's recommendation to refer the grievances back to the Director of Health and Human Services to make a final written summary of the grievance by the end of the month.

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

7. PUBLIC WORKS / TRANSPORTATION - TIM BEALS

- 7.A. Discussion and adoption of resolution authorizing Department Managers to enter into Workforce Investment Act On-The-Job Training Agreements between Alliance for Workforce Development and Sierra County for specific WIA Participants (trainee employees), authorizing on the job (OJT) raining assistance and funding for new positions in the County work force as approved by the Board of Supervisors.

This item was pulled from the agenda at the request of the Director of Public Works.

- 7.B. Discussion and direction on statewide and local drought impacts and issues including curtailment, business impact, local assistance, and ag impacts.

The Director of Planning introduced the item explaining that the resolution regarding extreme fire danger conditions and method to engage the 22 counties in California that constitute the Sierra Nevada was intended to be a second item on the agenda, however he believes this issue is fairly close in scope to this item to discuss together.

The Director of Planning further referred to the background on the declaration of drought that he emailed to the Board last night. The Director further explained that agenda Item 7.B. is a letter from Plumas County pertaining to water right curtailments that are impacting the ag community in Plumas County and the second phase of this item is the fire severity associated with the drought.

The Director continued to review in detail the background item pertaining to a recommendation to provide a plan of action to mitigate the buildup to address the potential for catastrophic wildfire and lack of fire prevention investments in the County to date.

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The Director further reviewed the recommendation to 1) consider adopting a resolution proclaiming a local state of emergency based on fire conditions and buildup of biomass which would include all 22 Counties within the Sierra Nevada region; requesting RCRC to endorse the resolution; 2) requesting the Governor seek concurrence from the President of the United States asking for immediate procedures similar to which emulates the "presidential forum" that occurred in Lake Tahoe in 1997; 3) specifying what the counties would be requesting including multiple year funding, aggressive and sustainable program, modeling and monitoring to enhance decision making, biomass assessments, projects aimed at fire suppression, etc.; and 4) setting forth a structure for implementation that suggests the Secretary of the Interior and Secretary of Agriculture cooperate with the California Secretary of Resources to consider the Sierra Nevada Conservancy as the designated coordinator and administrator for such a program.

County Counsel expressed concerns with discussing the fire severity issue as the Director had indicated this was intended to be a separate agenda item and he is not sure it complies with the Brown Act. County Counsel cautioned further discussion on this issue.

Supervisor Schlefstein concurred with County Counsel's concerns and suggested adding this item to another agenda.

Discussion ensued regarding whether this topic should be addressed.

Following discussion, the Director indicated that while there may not be 50 references to "drought" in the background, the drought is the reason this is being suggested. There is no action required today, but the clarity that needs to be made with respect to the drought declaration is whether this is something the County should pursue and place on a future agenda.

Supervisor Adams indicated that he would submit that the first nine words on the agenda is exactly what we are talking about. He would also submit that while we have some coordination to do, he doesn't believe it will be that hard to get all of the other counties on board. All 58 counties have a vested interest in this matter. Supervisor Adams added that he would like to give the Chair any authority he needs to talk to our congressional delegation.

Supervisor Schlefstein indicated that he doesn't have a problem if the Board wants to give direction and authorization to the Chair, he just didn't want to go too far out of bounds.

Following further discussion, the Board moved to direct placing the resolution on the next agenda for adoption and also authorize the Chair to present a draft of the resolution to our congressional delegation.

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APPROVED. Motion: Huebner/Schlefstein/Unanimous Roll Call Vote: 5/0

10. TIMED ITEMS

10.A. 10:00AM DOWNIEVILLE CLINIC PATIENTS' ADVOCACY COMMITTEE (DCPAC)

Status report of the Western Sierra Medical Clinic's Downieville site as presented by the Downieville Clinic Patients' Advocacy Committee (DCPAC). (CHAIR ROEN)

Ms. Ingrid Larson, Downieville Clinic Patients' Advocacy Committee Chair addressed the Board and distributed a copy of the Agreement of Merger between the Western Sierra Medical Clinic and Miners Community Clinic. Ms. Larson continued to provide background to the Board regarding meetings held pertaining to the potential cuts to the Western Sierra Medical Clinic and the creation of the DCPAC. Ms. Larson added that the Committee is trying to appeal to the WSMC Board of Directors for their commitment to the Downieville Clinic.

Ms. Larson further referred to the Agreement of Merger, page 4, paragraph 11.a pertaining to the service commitments and objectives upon the merger, noting they are trying to remind the WSMC Board of Directors of their commitments and have requested they evaluate this contract. Ms. Larson continued to state that the good news is the WSMC has agreed to continue the status quo of service for the next two months (five days a week/24 hour service). The Committee is working to see what their options are and might ultimately ask to partner with the County as they move forward. She also understands there is a reversionary clause in the real property the WSMC owns if it stops being a health care center the property reverts back to the County and they don't want this to happen. Ms. Larson also referred to petitions being circulated which indicates how important this issue is to the community.

Item 7.B. continued from earlier in the meeting.

The Director of Public Works explained that the second portion of this item relates to correspondence generated from Plumas County with respect to the actions being taken by the State Water Resources Control Board regarding emergency regulations for curtailment of diversions to protect senior water rights. Plumas County is taking a strong position and believes Sierra County should consider something similar. The Director further encouraged the Board to authorize a letter that contains the same tenure as Plumas County's letter.

The Board moved to authorize the preparation of a letter similar to Plumas County's letter to the State Water Resources Control Board and directed the Director of Public Works to send a draft of the letter to the Board prior to submitting the final letter.

APPROVED. Motion: Schlefstein/Huebner/Unanimous Roll Call Vote: 5/0

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- 7.C. Resolution accepting formal offers of dedication for right of way offered to the County for road purposes for Trelease Lane and Sierra Lane and acceptance of the offers of dedication into the County maintained mileage system.

The Director of Transportation provided background on the location of the right of way. The Director further explained that this is being requested as these were offers made almost three decades ago in the Subdivision Map filed by Charles Bluth. Historically when work is requested, his department has performed the work and then has to bill back the Service Area fund for the work. This cleans this operation up by making it a county road so when they are conducting maintenance operations in Verdi it will be very simple for them to go over and do just that.

The Board moved to adopt the resolution accepting formal offers of dedication for right of way offered to the County for road purposes for Trelease Lane and Sierra Lane and acceptance of the offers of dedication into the County maintained mileage system.

ADOPTED, Resolution 2014-063. Motion: Schlefstein/Huebner/Unanimous Roll Call Vote: 5/0

- 7.D. Approval of Lease Agreement with Boy Scouts Troop #60 out of Loyalton for Wilderness Challenge Equipment that is currently not utilized by Sierra County. (PUBLIC WORKS) (**Consent Item 12.I**)

County Counsel expressed concerns with regards to the agreement not appearing to be an arms-length type of lease for equipment and the County cannot benefit any nonprofit organization without fair return. County Counsel added that it would be best to put the equipment out for surplus sale; to do otherwise will open the door to assertions that this is not a legally appropriate contract.

The Auditor also expressed concerns with respect to making sure that whoever leased the equipment had the appropriate insurance to cover the County.

It was stated that it would be easier to sell the equipment as there is no residual liability to the County.

Supervisor Beard noted that he appreciates County Counsel's concerns, however as a former scout leader of this troop he really believes this troop needs this equipment; these scouts are absolutely wonderful kids and deserve any help we can give them.

Discussion ensued pertaining to the County's surplus process.

Following discussion, the Board moved to declare the equipment as surplus.

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

6. HEALTH AND HUMAN SERVICES - Darden Bynum

- 6.A. Resolution appointing Celia Sutton-Pado, MD as Public Health Officer and agreement for Professional Services between Celia Sutton-Pado, MD, and the County of Sierra for Fiscal Year 2014-2015.

The Director of Health and Human Services indicated that Ms. Sutton-Pado is a colleague of the previous County Health Officer, Ken Cutler who approached her about this role. The Director further explained that Ms. Sutton-Pado has experience with the Western Sierra Medical Clinic as a physician working on the mobile clinic in Alleghany, lives in Truckee, knows the people of Sierra County, she is capable, licensed, and he is asking the Board to appoint her as the County Public Health Officer.

In response to the Auditor's inquiry pertaining to language in the contract indicating that Ms. Sutton-Pado will supervise over the Nurse Practitioners, the Director reviewed Section 1.4, Scope of Work of the proposed agreement.

The Auditor responded that this language would be adequate.

ADOPTED, Resolution 2014-064 and **APPROVED**, Agreement 2014-068. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 6.B. Authorization to fill an Eligibility Worker I position vacancy due to an internal promotion and authorization to begin the recruitment process.

The Director of Health and Human Services explained this is a time study recommendation based on the amount of work and a way to ensure that if there is any turnover in the department that there is an employee to fill any anticipated or unanticipated vacancies.

Following brief discussion regarding whether the workload supports the hiring of this position, the Board moved to authorize the filling of an Eligibility Worker I position vacancy due to an internal promotion and authorized the Department to begin the recruitment process

The Director pointed out that this is not to increase the eligibility of new people in the Department; rather this is to expand the available eligibility of services to the existing residents and constituencies in the County.

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 6.C. Rescission of Agreement No. 2014-055 and approval of agreement for Professional Services between Kathryn Hill, MFT and the County of Sierra Behavioral Health Department for Fiscal Year 2014-2015. (BEHAVIORAL HEALTH) (**Consent Item 12.A.**)

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Supervisor Schlefstein questioned the County withholding the 7% tax as independent contractors normally receive a Form 1099 and take care of their own taxes.

The Auditor explained that this isn't done anymore with out of state contractors; if they are in state the County doesn't withhold taxes but with out of state this is something we must do.

The Board moved to rescind Agreement No. 2014-055 and approve agreement for Professional Services between Kathryn Hill, MFT and the County of Sierra Behavioral Health Department for Fiscal Year 2014-2015.

APPROVED, Agreement 2014-069. Motion: Schlefstein/Huebner/Unanimous Roll Call Vote: 5/0

8. COUNTY COUNSEL - James A. Curtis

- 8.B. Amendment to Agreement No. 07-130 between the County of Sierra and Shaw Valenza LLP, for use of law firm for personnel issues.

County Counsel briefly explained that this is an extension of an annual contract with the Shaw Valenza law firm for personnel issues.

The Board moved to approve the amendment to Agreement No. 07-130 between the County of Sierra and Shaw Valenza LLP, for use of law firm for personnel issues.

APPROVED, Agreement 2014-070. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 8.C. Introduction and first reading of an Ordinance adding Chapter 1.18 to the Sierra County Code pertaining to notices to abate violations and recordation of notices of violation and authorization for County Counsel to prepare and publish a summary of the proposed ordinance in accordance with Government Code section 25124(b)(1).

County Counsel indicated that the first reading of this ordinance has already been before the Board; however, there were a few more edits that needed to be made to the proposed ordinance.

In response to Supervisor Schlefstein's inquiry, County Counsel explained that in his research he found that the County didn't have any authority in state law to record the notice of violation; rather, the County has to have our own ordinance to provide for the recording.

Following brief discussion, the Board moved to waive the first reading of an Ordinance adding Chapter 1.18 to the Sierra County Code pertaining to notices to abate

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violations and recordation of notices of violation and authorization for County Counsel to prepare and publish a summary of the proposed ordinance in accordance with Government Code section 25124(b)(1).

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 8.D. Introduction and first reading of an Ordinance amending Section 8.05.020 of the Sierra County Code pertaining to Exemptions from fees for use of the County Solid Waste System.

The Solid Waste Fee Administrator noted this was requested at the last meeting by Supervisor Beard. The Solid Waste Fee Administrator explained that there are 79 mining claim accounts with a plan of operation. Of the 79 mining claims, 8 have local mailing addresses (1 is owned by a corporation, 1 is owned by a nonresidential account that has mandatory pickup, 2 are owned solely but don't own any other property in the County, and the remaining 4 are owned by multiple property owners and none of them would qualify for this exemption). The Solid Waste Fee Administrator further recommended withdrawing the proposed ordinance as it doesn't affect any property owners at this time and leaves this open to other property owners who don't occupy their property the entire year to appeal.

Chair Roen indicated that he doesn't want to jeopardize the system.

County Counsel referred to prior solid waste appeals where people have requested changing the ordinance to address their specific situation, noting we may be opening a door with this.

Supervisor Schlefstein indicated that he thought the intent of this was so a local miner didn't have to pay twice if they were already paying the fee for their home.

Supervisor Adams noted he agrees with the intent of this and is wondering if it would be smart not to take any action today, rather request the Solid Waste Fee Administrator that if someone comes in regarding this issue, to bring it back to the Board.

Supervisor Beard noted that this ordinance specifies property owners and if someone rents in Sierra County they are paying the property taxes through their rent. If they are a resident renting in Sierra County they should be exempt.

The Fee Administrator explained that she only has access to the ownership of the homes in the County and doesn't know who is renting.

In response to Chair Roen's inquiry, the Fee Administrator explained that if the Forest Service pulls a plan of operation then she would grant an appeal.

No action taken.

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- 8.E. Second reading and adoption of an Ordinance amending Section 8.04.040 of the Sierra County Code pertaining to use of the County Solid Waste System.

Following a brief introduction by the Solid Waste Fee Administrator, the Board moved to waive the second reading and adopt an ordinance amending Section 8.04.040 of the Sierra County Code pertaining to use of the County Solid Waste System.

ADOPTED, Ordinance 1053. Motion: Beard/Huebner/Unanimous Roll Call Vote: 5/0

- 8.F. Introduction and first reading of an ordinance replacing Section 5.12 of the Sierra County Code pertaining to transaction and use tax subject to approval by the voters and authorization for County Counsel to prepare and publish a summary of the proposed ordinance in accordance with Government Code section 25124(b)(1).

County Counsel briefly introduced the item explaining that this tax, if approved by the Board and the voters on the November General Election ballot would become effective within 110 days, April 1, 2014.

Supervisor Adams suggested trailing this discussion until later in the meeting when the budget item will be discussed.

9. BOARD OF SUPERVISORS

- 9.A. Authorization for County Counsel to prepare and publish a summary of the proposed ordinance adding Chapter 8.01 to the Sierra County Code pertaining to cultivation of marijuana in accordance with Government Code section 25124(b)(1). (CLERK OF THE BOARD)

The Board moved to authorize County Counsel to prepare and publish a summary of the proposed ordinance adding Chapter 8.01 to the Sierra County Code pertaining to cultivation of marijuana in accordance with Government Code section 25124(b)(1).

APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

- 9.B. Appointments to the Sierra County Juvenile Justice Coordinating Council. (CLERK OF THE BOARD)

Following a brief introduction by the Chief Probation Officer, the Board moved to appoint Krystin Gallegos to the Sierra County Juvenile Justice Coordinating Council.

APPROVED. Motion: Huebner/Schlefstein/Unanimous Roll Call Vote: 5/0

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- 9.C. Approval of letter to US Postal Service regarding operating hours of the Downieville Post Office. (SUPERVISOR ADAMS)

Supervisor Adams provided brief background on a meeting held with the Postal Service last night in Downieville and explained that since they are suggesting to reduce the hours of the Goodyears Bar Post Office to two hours a day and the Downieville Post Office to six hours a day, what seems to be the best possible solution is to have one person work at both post offices in order to keep a full-time position and the PMR in Goodyears Bar fill in.

Supervisor Adams also noted that he has provided a corrected letter to the Clerk as it was stated at the meeting that the Manager of Postal Operations, Jamie Biskner is the best person to send this letter to.

Supervisor Beard questioned if he can still vote on the proposed letter since he completed a personal protest letter at the Downieville Post Office.

County Counsel clarified that Supervisor Beard can vote on the proposed letter.

Supervisor Adams clarified that as an employee working for the agency it is not a conflict of interest however he is going to recuse himself from the vote.

The Board moved to approve the letter to the US Postal Service regarding operating hours of the Downieville Post Office.

APPROVED. Motion: Beard/Peter/Passed Roll Call Vote: 4/0/1 (Supervisor Adams ABSTAINED)

- 9.D. Authorization to submit comments supporting the University of California, Division of Agriculture and Natural Resources call for position 026 Area Livestock-Natural Resources and Community Development Advisor based in Plumas and Sierra Counties. (CHAIR ROEN)

The Board moved to authorize submitting comments supporting the University of California, Division of Agriculture and Natural Resources call for position 026 Area Livestock-Natural Resources and Community Development Advisor based in Plumas and Sierra Counties.

APPROVED. Motion: Adams/Huebner/Unanimous to make comments

- 9.E. Appointment to the Sierra County Children and Families Commission. (CLERK OF THE BOARD)

The Board moved to appoint Anne Reugebrink to the Sierra County Children and Families Commission.

APPROVED. Motion: Beard/Huebner/Unanimous Roll Call Vote: 5/0

10.B. 11:30AM RESOLUTION OF APPRECIATION

Presentation of Resolution of Appreciation to Mary Nourse, President of the Sierra County Historical Society, in response to the June 21 and 22 Sesquicentennial Celebration in Sierra City. (SUPERVISOR HUEBNER)

Chair Roen presented the resolution of appreciation to Mary Nourse.

11.A. Closed session pursuant to Government Code Section 54956.9(d)(4) to discuss the following litigation: Jane Doe v. Sierra County, et al.

11.C. Closed session pursuant to Government Code Section 54956.9 pertaining to threat of litigation against Sierra County by Larry Ostrom.

The Board met in closed session from 11:30 a.m. to 11:49 a.m. County Counsel reported that with regards to the Jane Doe litigation, the Board has been advised of the reservation of rights letter from CSAC-EIA. With regards to the threat of litigation by Larry Ostrom against Mr. Huebner and the County, the Board has determined to take no action on this matter.

NOON RECESS

The Board took the noon recess from 11:50 a.m. to 1:33 p.m. and reconvened with all members present.

10.C. 1:30PM COUNTY BUDGET

County Budget Workshop to discuss and provide direction in setting short term and long term priorities and strategies to address the General Fund and Road Fund deficits in the Sierra County 2014/2015 Final Budget. (CHAIR ROEN)

Supervisor Adams introduced the item and provided background on the Finance Committee meeting noting the Committee started off with a \$230,000 deficit. The Committee made some changes in the District Attorney's budget for a savings of \$49,000 from AB 109 funds and the Sheriff assigning one deputy to the jail and converting the other two Correctional Officer positions to deputies assigned to the jail for a savings of \$94,000 which brings the present deficit to \$33,599 with no contingency. If the County goes into next year with a contingency fund this will add to the current deficit.

Supervisor Adams also referred to the possibility of a sales tax increase and the reality that if approved, it would not go into effect until April which would bring in approximately \$30,000 in revenue. Supervisor Adams further reviewed other options to downsize including layoffs, salary cuts, PERS contributions, furloughs and starting a discussion with the City of Loyalton regarding the costs associated with providing police protection to the City.

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In response to Supervisor Schlefstein's inquiry, the Sheriff explained that the City's contribution for police protection is \$15,000 through a contract with the County and \$95,000 of COPS funding.

Supervisor Adams also indicated that the animal control problem within the City is being considered a County problem and he is not sure the City is paying anything for those services.

Supervisor Beard indicated that as a resident of the City and Supervisor representing the City he takes this to heart as the people of the City pay property taxes the same as the rest of the County.

Supervisor Adams explained that there are some revenues that the City receives including sales tax, vehicle registration and other monies that would otherwise come to the County for services they are obligated to provide.

The Auditor clarified that the City also receives a percentage of the property taxes.

Considerable discussion ensued regarding the costs to provide police protection to the City of Loyalton; AB109 funds paying for half of a deputy position and having to provide a new service with existing staff and bill on an hourly rate so there are no supplanting issues; filling two jailer positions with deputies only saving \$67,000 which increases the deficit; waiting 30 days to make any decisions in order to see what the true rollover is going to be; the cost of general fund positions; the closing of the jail not impacting next year's budget; and the impacts to tourism if the parks were closed.

In response to Supervisor Beard's inquiry, Supervisor Adams indicated that it has been suggested that the PILT funding is probably dead, they have not been able to find the political will for funding PILT and he believes the next best opportunity would be in January.

In response to the Director of Transportation's inquiry, the Auditor clarified that the \$33,000 deficit includes the \$70,000 reimbursement to the road fund.

The Auditor further clarified that new deficit is actually \$60,000 as a result of the Sheriff assigning two deputies to the jail.

The Director of Transportation added that there are a couple of items that have been discussed that need to be addressed sooner than later including the sales tax and the jail study as he believes we owe it to everyone in the room to complete the jail study to determine the actual numbers if it were to close. The Director further urged the Board to schedule this workshop as soon as possible in order to complete the study and get this issue resolved.

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Supervisor Adams noted that he doesn't disagree, but the jail is not going to be a savings this year and as soon as we know the answers will there be the political will to layoff a number of employees in the County. Any general fund employee laid off this year can come back next year, but any employee laid off in the jail, if it closes, cannot come back.

The Director noted that he doesn't disagree, he just believes the County needs to put this issue to bed. The Director further urged the Board not to impact any further erosion of the salary of the employees and to seriously consider leveling the playing field for providing police protection within the City of Loyalton.

The Sheriff indicated that the Sheriff's office has two things in the works: 1) a preliminary inquiry for a grant through the COPS program; and 2) a request to the US Marshal to house inmates in Sierra County for \$100 per day.

Supervisor Adams noted a lot of this will be based on what the actual rollover is going to be, but there are two things the Board could do to position themselves for a worst case scenario: 1) put the sales tax initiative on the ballot; and 2) deal with the total cost of law enforcement provided to the City of Loyalton as there is no way \$15,000 comes close to paying these costs.

Supervisor Adams suggested a motion to initiate a discussion with the City of Loyalton as we need to get close to full payment of what the service is worth; he doesn't want to bankrupt the City but the reality is either the County is cutting services or the City is.

County Counsel reviewed the distribution process of property taxes to cities, counties and special districts.

Following discussion, Supervisor Huebner suggested the Chair contact the City Mayor to set up a meeting.

Brief discussion ensued pertaining to increasing the sales tax and the transient occupancy tax.

Considerable discussion also ensued regarding the AB 109 funds covering two correctional officer positions and the Sheriff's request to convert one of these positions to a deputy sheriff.

In response to Supervisor Adams' inquiry, the Auditor indicated that the CCP has authorized \$254,585 of AB 109 funding which includes the secretary/drug court coordinator and the two jailers (correctional officers).

Supervisor Adams requested authorizing the Sheriff to convert one of the two correction officer positions to a deputy sheriff, and to request an additional \$25,000 from the CCP.

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Following discussion, the Board moved to request a total of \$179,585 of AB 109 funding from the CCP to pay for the drug court coordinator/secretary position, two deputy sheriff positions assigned to the jail and the remaining amount to help fund one correctional officer.

It was stated that the deficit is still \$160,000 which includes \$100,000 for contingencies.

APPROVED. Motion: Adams/Schlefstein/Unanimous Roll Call Vote: 5/0

CLERK NOTE: The \$179,585 was intended to be \$279,585 which includes the \$254,585 already authorized by the CCP plus the additional request to the CCP for \$25,000.

Discussion ensued pertaining to the potential of housing inmates from other county jails in our jail.

- 8.F. Introduction and first reading of an ordinance replacing Section 5.12 of the Sierra County Code pertaining to transaction and use tax subject to approval by the voters and authorization for County Counsel to prepare and publish a summary of the proposed ordinance in accordance with Government Code section 25124(b)(1).

The Board moved to introduce and waive first reading of an ordinance replacing Section 5.12 of the Sierra County Code pertaining to transaction and use tax subject to approval by the voters.

County Counsel requested adding the following language under 5.12.130 of the proposed ordinance:

This ordinance relates to the levying and collecting of the County transactions and use tax and shall take effect immediately *subject to the approval by a majority vote of the qualified voters of the county voting in an election on the issue.*

County Counsel also requested striking the first sentence under Ordinance Section 4 as it is in conflict with the prior section.

The maker amended the motion to include the requested changes.

APPROVED. Motion: Adams/Schlefstein/Unanimous Roll Call Vote: 5/0

The Board moved to authorize County Counsel to prepare and publish a summary of the proposed ordinance in accordance with Government Code section 25124(b)(1).

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APPROVED. Motion: Adams/Huebner/Unanimous Roll Call Vote: 5/0

Supervisor Adams questioned if the Board should start a discussion with the City and also directing the Auditor to determine the percentage of property taxes the City receives.

The Board moved to authorize the Finance Committee to start discussions with the City of Loyalton regarding the costs of police protection services provided to the City by the County.

APPROVE. Motion: Adams/Huebner/Passed Roll Call Vote: 4/1 (Supervisor Beard NO)

Supervisor Adams further suggested having the Department Managers continue to hold discussions regarding the budget and to have their own contingency plan. If there are no offers on the table it will be across the board cuts as the Board doesn't want to go through the agony of deciding how important one employee is versus the other.

11. CLOSED SESSION

11.B. Closed Session pursuant to Government Code Section 54957.6 to discuss labor negotiations.

The Board met in closed session from 3:58 p.m. to 4:15 p.m. County Counsel reported that the Board has given instructions and he will be contacting the employees to make the appropriate arrangements and there is nothing further to report.

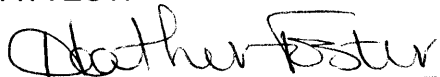
ADJOURN

At 4:16 p.m., with no further business, Chair Roen adjourned the meeting.



PAUL ROEN, CHAIR
BOARD OF SUPERVISORS

ATTEST:



HEATHER FOSTER
CLERK OF THE BOARD